

LA PORTE FIRE MARSHALS' OFFICE
FIRE INVESTIGATION REPORT

COPY

DATE: 6-27-2000 TIME: 2:01 P.M. OCCUPANCY: RESIDENTIAL

OWNER: JOHN KIRBY ADDRESS: 803 COLLEGE, CEDAR FALLS, IOWA

OCCUPANT: UNOCCUPIED

CONTENTS LOSS: BUILDING LOSS:

ESTIMATED LOSS:

REMARKS: On 6-27-2000 at approximately 2:01 p.m., the La Porte Fire Department received a general alarm fire call to respond to 3802 Marlin in regards to a house fire.

When Unit #242 driven by Billy Dalmolins arrived he reported heavy smoke visible. When I arrived a few minutes later, I found heavy smoke and fire venting through the roof.

While waiting on the fire fighters to extinguish the fire, I spoke to a w/f who identified her self as Valeria Key who told me that she lived at 3806 Marlin. She went on to tell me that approximately 11:30 a.m. - 12:30 p.m. today she seen a older model dark blue colored Ford pickup parked in the driveway at 3802 Marlin and a red colored Ford Ranger pickup parked in front of 3802 Marlin. I asked her if she seen anyone around the pickups and she replied "I seen one person in the blue pick up but no one in the red pickup. I asked her if she seen anyone entering or leaving the house or property and she replied "I seen a shadow going down along side the house next door (3802 Marlin), but I couldn't tell who it was". She also told me "Last night I seen a light on in one of the bedrooms, which was unusual, since the owner hadn't lived in the house in about 4 years and I thought the electricity was cut-off to the house". I asked her the property owner was and she replied "John Kirby, and he lives in Cedar Falls, Iowa". I asked her when was the last time that she knew that Mr. Kirby was at his house and she replied "A couple of months ago, when he met with the people that was going to cut his shrubs and mow his grass". I asked her if she had ever seen the two pickups mentioned above at this address before and she replied "No".

I then spoke to two Reliant Electricity employees who had responded at the fire department request, to remove the electric meter at the house. I asked them if the service was "hot" (still on line or had it been turned off and the meter booted) and they replied "The service was still on line". The name of the meter is Sangamo and the number of the meter is 25720537.

COPY

Kirby Fire 3802 Marlin 6-27-00 cont.

Page 2 of

Then using fire fighter Agustin Trujillo as an interpreter, I spoke to the following w/m's

1. Agustin Vega Vega, Dickinson, Texas
2. Clemente Vega Almarasi, Dickinson, Texas
3. Rodrigo Vega Moran, Dickinson, Texas

They told me that for the last 3 or 4 months they have been building a house across the street from where the fire was today. They went on to tell me that today, at approximately 11:30a.m. - 12:30 p.m., they seen an older dark blue colored 4X4 Ford pickup occupied by 1 w/m and 1 w/m (Chicano), (they indicated that the driver of the blue pickup was baldheaded.) and a red colored Ford Ranger pickup occupied by 2 w/m's come to the house where they later seen the smoke coming from. They went on to tell me that blue pickup was backed into the driveway and the red pickup was sitting in front of the house. I asked them where did the pickups go when they left, and they told me that the blue pickup pulled out of the driveway, turned left and left in a hurry and went down the street and the red pickup turned right at the corner, circled the area and returned to the driveway. They went on to tell me that the passenger in the red pickup got out and opened the garage door, went inside for a couple of minutes come back outside closed the garage door, got in the pickup. The driver then backed out and left in a hurry and they followed in the direction where the blue pickup went. I asked them if they had ever seen these pickups around there before and they replied "No". They also told me that over the last 3 or 4 months, they have seen several people coming and going from the garage area of the house. I asked them approximately what age was the person that got out of the red pickup and they told me in his early 20's.

I then talked to Fire Department Driver Billy Dalmolins. I asked him if the house was secured when he arrived and he replied "Yes, at least the front door was, I can't speak about the other doors". I asked him what did he find when he got inside the house and he replied "I didn't see any fire when I entered the house, it (the fire) appeared to all be in the attic". I asked him if he got all the way down the hallway and around the corner to where the middle bedroom was and he replied, "No, but he thought that Chris Mahlstedt, who was with him did".

I then talked to Fire Fighter Chris Mahlstedt. I asked him what did you see when you entered the house and he replied, "I didn't see any fire, but I seen a lot of smoke." I asked him if he went down the hall where the middle bedroom was and he replied "Yes". I asked him what did you see and he replied "The fire appeared to be in the attic area of the house". I asked him if he seen any fire in the hallway that went down by middle bedroom and he replied "There seemed to be fire coming out of the attic in that area". We then toured the house and we reviewed the areas that we had just talked about.

I then had Fire Chief Mike Boaze come into the house and I gave him a tour of the house.

COPY

Kirby Fire 3802 Marlin 6-27-00 cont.

Page 3 of

After Boaze's tour of the house, I then photographed the interior of the house, see the photographs. After I finished photographing the house, I then inspected it for fire damage and I found the following:

The one story, four bedroom, two car attached garage had received major fire damage in the attic area and the following damage to the remainder of the house and contents:
South exterior side of the house received moderate to heavy fire damage.
Entry hallway received moderate to heavy smoke, heat and water damage.
Front room and contents received moderate to heavy smoke, heat and water damage.
Dinning area and contents received moderate to heavy smoke, heat and water damage.
Kitchen and contents received moderate smoke, heat and water damage.
Laundry room and contents received moderate smoke, heat and water damage.
Attached garage and contents received light to moderate smoke, heat and water damage.
Back bedroom w/ bath and all contents received moderate smoke, heat and water damage.
Middle bedroom and contents received heavy fire damage.
Hallway and closets received heavy fire damage.
Hallway bathroom and contents received moderate to heavy smoke, heat and water damage.
Front bedroom and contents received moderate to heavy smoke, heat and water damage.
Master bedroom and contents received moderate to heavy smoke, heat and fire damage.

I then inspected the utilities to the house and found the following:

The natural gas to the house had been shut off – meter missing.
The electricity has been on until the repairmen removed the meter.
The water meter was not located.

NOTE: I inspected the electrical breaker box located in the garage and found that all breaker were in the "On" position, with one 20amp breaker in the tripped position.
Unknown what the 20 amp breaker was protecting.

Conclusion: After my inspection of the fire damage house, it is my opinion that, this fire appears to have been a purposely-set fire. It appears that a person(s) set a fire in the interior hallway and in the middle bedroom with the intent to purposely damage or destroy the house and contents.

I then contacted the neighbors and let them know that I was leaving and requested that they keep an eye on the house and if they seen the pickups described in this report to contact the police department.

I left my business cards and left the fire scene.

COPY
Page 4 of

Kirby Fire 3802 Marlin 6-27-00 cont.

I then went to Station #4 to get run time information and then returned to my office where at approximately 6:15 p.m. I called 1=319-266-9708 where I talked to the owner of the house Mr. John Kirby.

Note: I had been given Mr. Kirby's name, telephone number and address prior to leaving the fire scene.

I explained to Mr. Kirby what the fire department had found when they arrive and what my investigation had discovered. I asked him the following questions:

1. When was the last time you were at your house and he replied "A couple of months ago, when I met with the people who was going to cuts my shrubs and mow the grass"
2. I asked him again about how long ago it was when he was last at his house and replied "It was in March".
3. I asked him if he had rented, leased or given permission for anyone to be in his house and he replied "No".
4. I asked him how long had it been since he lived in his house and he replied "About 4 years".
5. I asked him if he had left any utilities "on" and he replied "Yes I left the electricity "on for the refrigerator". I told him that I had inspected the breaker box in the garage and found that all of the breakers were in the "on" position.
6. I asked him before the fire, if he had a "dingy" boat in the garage and he replied "Yes". I told him that it was now gone.
7. I asked him if he had the house insured and he replied "No, I sure look like a fool now as people told me John, you should sell the house or at least get insurance on it, now I just have a big problem".
8. I asked him if he has had any problems with any one and he replied "No, I haven't lived there for 4 years".

We then discussed the furniture in the house and the remodeling or removal of the house that he would be faced with in the coming weeks. I told him to think about what he wanted to do and give me a call.

I told him that I would stay in touch and let him know how the investigation was coming.

I told him if he had any questions, to please give me a call

COPY

Kirby Fire 3802 Marlin 6-27-00 cont.

Page 5 of

Suspects: None at this time.

This case pending further investigation as information warrants.

End of report.

Paul R. Hickenbottom – Fire Marshal

FOLLOW UP REPORT

On 8-28-2000 while in my office, I received a telephone call from an anonymous caller who sounded like a w/m. The caller told me, he had information about a fire that occurred about a month or six weeks ago in a house down by the Houston Yacht Club and he wondered if the City of La Porte gave rewards (that he was strapped for money) for information like that.

I told him, "Yes, the City of La Porte had a Arson reward, but he would need to come to my office and give me a written, notarized statement in regards to the information he had". He told me that "I don't want the people that told me what happened, to know that I turned them in". He went on to say that he was on probation, trying to get his life straightened out, and what they did just wasn't right. I told him "In that case you need to call Crime Stoppers and give them your information". He told me "I have called them and they said to call you". I told him "If you go through Crime Stoppers the information they give me is strictly confidential and he can remain anonymous". I explained to him that he needed to call Crime Stoppers back and tell them what I said.

COPY
Page 6 of

Kirbey Fire 3802 Marlin 6-27-2000 cont.

Prior to him hanging up, I asked him:

1. Were you present when the fire(s) was set and he said "No, but they told me where, when and how they did it".
2. Did the people who were responsible drove a red colored Ford Ranger pickup and an royal blue colored, old model pick up with dark windows and loud sounding tail pipes and he said "Yes".
3. Did the people tell you why they set the house on fire and he told me that "They told me they were high on drugs and just wanted to see what would happen". He told me that they didn't live there, but they told him that they had been there before.
4. Did the people tell him where they set the fire and he said "They told me in the back bedroom where the large stack of paper was", and I said in the "middle bedroom", and he said "Yes I mean in the middle bedroom".
5. When did the people tell you about setting this fire and he said, "They told me yesterday".

I told him when he decided what he wanted to do to call me back

End of report.

This case pending further investigation as information warrants.

Paul R. Hickenbottom – Fire Marshal

Date

ENRON GETS \$2.2 BILLION FOR GAS LINES

Buyers Include A Familiar Name

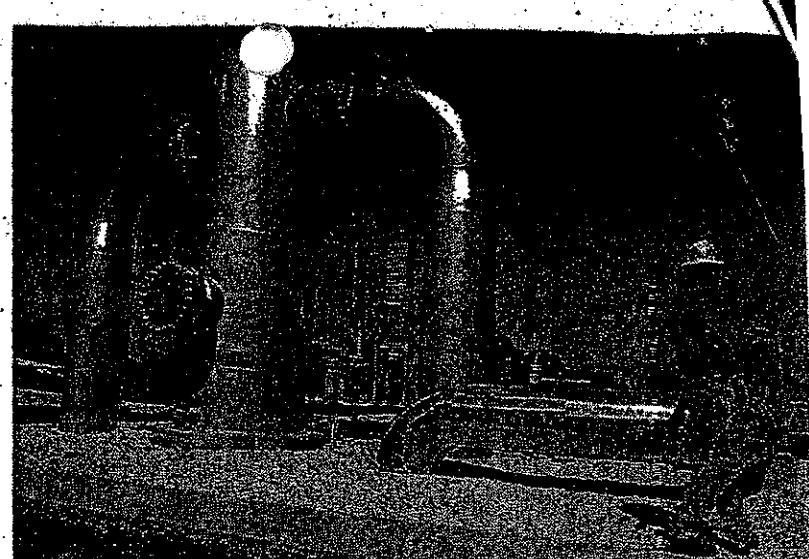
By SIMON ROMERO

HOUSTON, May 21 — Oscar S. Wyatt, the Texas oilman known for his dealings with Muammar el-Qaddafi and Saddam Hussein, is back in the energy business. Mr. Wyatt and a group of investors agreed to buy Enron's natural gas pipelines in North America for \$2.2 billion, Enron's acting chief executive said on Friday.

Mr. Wyatt, 79, is part of a group called NuCoastal — which includes Citigroup, Arclight Capital Partners and Kelso & Company — that is paying \$1.77 billion and assuming \$430 million of debt in the transaction, which is part of Enron's plan to emerge from bankruptcy protection.

Enron, which has been mired in bankruptcy court since December 2001, said the deal was approved by its chief creditors but was still awaiting the approval of the bankruptcy court in a process that allows other potential buyers to submit superior bids.

Stephen F. Cooper, acting chief executive of Enron, said the transaction "provides the best value for our creditors and reflects a stronger



Associated Pr

A processing station in Thonotosassa, Fla., which is part of a 5,000-mile pipeline that Enron has agreed to sell to a group that includes Oscar S. Wyatt, a Texas oilman known for his international dealings.

market for quality, high-performing energy assets than we had seen two years ago."

The deal would give Mr. Wyatt and his partners control over CrossCountry Energy, an Enron operation with 1,100 employees and 9,900 miles of pipelines, including systems in Arizona, Florida, New Mexico, Oklahoma and West Texas. It is Mr. Wyatt's first significant foray into the energy industry since selling his oil company, the Coastal Corporation, for more than \$20 billion to the El Paso Corporation in 2001.

Since then, Mr. Wyatt gained notoriety by teaming with another large El Paso shareholder, Selim K. Zilkha, in a proxy battle last year to oust El Paso's board after the company's shares languished in the wake of an ill-fated effort at mimicking Enron in the energy-trading business. El Paso's board and executive suite

survived the proxy dispute.

The agreement to buy CrossCountry once again rubs Mr. Wyatt against El Paso. A CrossCountry unit owns half of the Citrus Corporation, 5,000-mile pipeline stretching from South Texas to Florida, with an El Paso unit controlling the other half.

A spokeswoman for Mr. Wyatt declined to comment on his plans for CrossCountry.

Mr. Wyatt, who was once called "meaner than a junkyard dog" in an article by Texas Monthly magazine and a partner started the Hardt-Able Oil Company in 1951 using the proceeds from an \$800 loan on Mr. Wyatt's car, a 1949 Ford. He eventually expanded his operations, which provided South Texas cities with natural gas, into a conglomerate with extensive dealings in the Middle East and elsewhere.

Texas Oilman in Deal With Enron



Oscar S. Wyatt, left, the Texas oilman known for his dealings with Muammar el-Qaddafi and Saddam Hussein, is back in the energy business. Mr. Wyatt and a group of investors agreed to buy Enron's natural-gas pipelines in North America for \$2.2 billion. Mr. Wyatt, 79, is part of a group called NuCoastal — which includes Citigroup, Arclight Capital Partners and Kelso & Company. The deal would give Mr. Wyatt and his partners control over CrossCountry Energy, an Enron operation with 1,100 employees and 9,900 miles of pipelines. [C14.]

79, is part of a group called NuCoastal — which includes Citigroup, Arclight Capital Partners and Kelso & Company. The deal would give Mr. Wyatt and his partners control over CrossCountry Energy, an Enron operation with 1,100 employees and 9,900 miles of pipelines. [C14.]

